

## COMBINED DECLARATION AND PETITION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- |                                     |                       |                          |                      |
|-------------------------------------|-----------------------|--------------------------|----------------------|
| <input checked="" type="checkbox"/> | original              | <input type="checkbox"/> | divisional           |
| <input type="checkbox"/>            | design                | <input type="checkbox"/> | continuation         |
| <input type="checkbox"/>            | supplemental          | <input type="checkbox"/> | continuation-in-part |
| <input type="checkbox"/>            | national stage of PCT |                          |                      |

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Implantable Medical Balloon and Method of Making, the specification of which:

- (a) ☒ is attached hereto
- (b) ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

- (d) ☒ no such applications have been filed
- (e) ☐ such application have been filed as follows:

### Prior Foreign Application(s)

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claims Under 37 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned
Unassigned	May 15, 2001	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of Sole Inventor: Randy Morningstar	
Inventors Signature:	Date Signed:
Residence (City, State and/or Country): Brooklyn Park, MN	Citizenship: US
Post Office Address(Street, City, State, Zip Code, Country): 8116Brandywine Parkway. Brooklyn Park, MN 55444	

09872704-06010

**CERTIFICATE OF MAILING**

I hereby certify that on June 1, 2001, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Box Patent Application, Commissioner of Patents, Washington, DC 20231.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail

37 C.F.R. § 1.10

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**PATENT**

Applicant: **Randy Morningstar**

Serial No.:

Filed: **06/01/01**

Title: **IMPLANTABLE  
MEDICAL BALLOON  
AND METHOD OF  
MAKING**

Atty Docket No.: **687-442**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**POWER OF ATTORNEY BY ASSIGNEE**

**AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 1.32**

Commissioner of Patents  
Box Patent Application  
Washington, D.C. 20231

Dear Sir:

American Medical Systems, Inc. a Delaware corporation, located at 10700 Bren Road West, Minnetonka, Minnesota, 55343, US, having become the owner of all rights in and to the above-identified application by virtue of an Assignment executed by the inventors, said Assignment being submitted concurrently herewith for recording, hereby appoint the following as the attorneys of record with full power of substitution and revocation, to transact all business in the Patent and Trademark Office and before competent International Authorities connected with above-referenced patent or patent application; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 1.12:

C. BERMAN, REG. 29249  
L. J. BOVASSO, REG. 24,075  
M. E. BROWN, REG. 28,590  
B. CANTER, REG. 34,792  
L. C. CULLMAN, REG. 39,645  
C. DARROW, REG. 30,166  
W.G. EDWARDS, REG. NO. 44,426  
M. FARBER, REG. 32,612  
C. A. S. HAMRICK, REG. 22,586

M. D. HARRIS, REG. 26,690  
M. HEYNINCK, REG. 44,763  
J. W. INSKEEP, REG. 33,910  
H. D. JASTRAM, REG. 19,777  
A. KAMRATH, REG. NO. 28,227  
D. N. LARSON, REG. 29,401  
J. LAZARIS, REG. 45,981  
S.C. LIESKE, REG. 47,749  
C.J. LERVICK, REG. NO. 35,244

K. A. MACLEAN, REG. 31,118  
D. MCKINLEY, REG. NO. 42,867  
C.A. MORTON, REG. NO. 44,954  
W. POMS, REG. 18,782  
A. C. ROSE, REG. 17,047  
C. ROSENBERG, REG. 31,464  
G. P. SMITH, REG. 20,142  
G.B. WOOD, REG. 28,133

06/01/01 10:22:36

whose address is:

**OPPENHEIMER WOLFF & DONNELLY LLP**

2029 Century Park East, 38th Floor  
Los Angeles, California 90067

**Attn: James W. Inskeep**

Telephone: (949) 823-6000

Facsimile: (949) 823-6040

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

American Medical Systems, Inc.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Johann J. Neisz

Title: Vice President